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S/N 10/523,337PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin R. Lynch and Timothy Macdonald
 Serial No.: 10/523,337 Examiner: Andrew B. Freistein
 Filed: January 28, 2005 Group Art Unit: 1626
 Docket No.: 198P00812USWO Confirmation No.: 5792
 Title: COMPOUNDS ACTIVE IN SPHINGOSINE 1-PHOPHAIE SIGNALING

TERMINAL DISCLAIMER

Commissioner for Patents
 Washington, D.C. 20231

I, Rodney L. Sparks, am an attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on January 28, 2005. I am making this petition on behalf of University of Virginia Patent Foundation, the assignee of the present invention. As an attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, University of Virginia Patent Foundation, certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/523,337) and to U.S. Patent No. 7,064,217. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. U.S. Patent Application Serial No. 10/523,337 is a national stage application filed January 28, 2005 under 35 U.S.C. § 371 of International Application No.

PCT/US02/023768. The assignment for International Application No. PCT/US02/023768 was recorded on November 17, 2004 at Reel 015369, frame 0636, with the United States Patent and Trademark Office. The assignment for U.S. Patent No. 7,064,217, filed January 30, 2002 (having a filing date under 35 U.S.C. § 371 (c)(1), (2), (4) date of July 30, 2003) was recorded on July 30, 2003 at Reel 014716 frame 0350, with the United States Patent and Trademark Office.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, University of Virginia Patent Foundation, seeking to take the action set forth in this disclaimer.

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Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173 as presently shortened by any terminal disclaimer, of U.S. Patent No. 7,064,217. Petitioner hereby acknowledges that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 7,064,217 and the legal title of the above-identified application and any patent granted thereon are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of U.S. Patent 7,064,217, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

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Fee Status

Authorization to charge the amount of \$130.00, which is required under 37 C.F.R. §1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 50-0549.

Respectfully submitted,

KEVIN R. LYNCH et al.

By their Representative,

Rodney L. Sparks
Biotechnology Patent Counsel
Patent Department
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Date: January 5, 2007

By Rodney L. Sparks
Rodney L. Sparks
Reg. No. 53,625

Certificate of Facsimile Transmission

Pursuant to 37 CFR 1.8, I certify that this correspondence is being sent to the telephone number shown below, addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.

To Facsimile Number 571-273-8300	Signature <i>April D. Kaplan</i>
Date	Printed Name April D. Kaplan